



# City of Marietta Meeting Agenda

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## CITY COUNCIL

*William B. Dunaway, Mayor*  
*Annette Paige Lewis, Ward 1*  
*Griffin "Grif" L. Chalfant, Jr., Ward 2*  
*Holly Marie Walquist, Ward 3*  
*Irvan A. "Van" Pearlberg, Ward 4*  
*Rev. Anthony C. Coleman, Ward 5*  
*James W. King, Ward 6*  
*Philip M. Goldstein, Ward 7*

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Wednesday, July 11, 2007

7:00 PM

Council Chamber

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### CALL TO ORDER:

### INVOCATION:

*Councilman Van Pearlberg, Ward 4*

### PLEDGE OF ALLEGIANCE:

### PRESENTATIONS:

#### 20070536 Fire Fighter Presentations

Presentation to Darrin Lewis, Fire Recruit of the Year, Lt. Meg Richardson, Firefighter of the Year and Commander Kip Stanger, Fire Officer of the Year.

### PROCLAMATIONS:

### ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

### CONSENT AGENDA:

Consent agenda items are marked by an asterisk (\*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

### MINUTES:

- \* 20070665 Regular Meeting - June 13, 2007  
Review and approval of the June 13, 2007 regular meeting minutes.
- \* 20070736 Special Meeting - June 28, 2007  
Review and approval of the June 28, 2007 special meeting minutes.

### MAYOR'S APPOINTMENTS:

### CITY COUNCIL APPOINTMENTS:

- \* 20070671 Board of Lights and Water - Non- Resident Member  
Re-appointment Alice R. Summerour to the Board of Lights and Water (Non-Resident Member) for a four-year term, effective July 15, 2007 and

expiring July 14, 2011.

\*      **20070695      Marietta Redevelopment Corporation**

Motion to reappoint Floyd Northcutt as Chairman and James A. (Micky) Blackwell as Vice Chairman of the Marietta Redevelopment Corporation for a one-year term expiring July 11, 2008.

**ORDINANCES:**

\*      **20070692      Commercial Corridor Overlay District Ordinance**

Ordinance amending the Comprehensive Development Code of the City of Marietta, Division 712.09, paragraphs E and G, regarding the optional elements points of the Commercial Corridor Design Overlay District.

**RESOLUTIONS:**

**CITY ATTORNEY'S REPORT:**

**CITY MANAGER'S REPORT:**

**MAYOR'S REPORT:**

**COMMITTEE REPORTS:**

**1. Economic/Community Development: Grif Chalfant, Chairperson**

\*      **20070686      FFY 2008 CDBG Program Final Statement and Project List**

Approval of a Resolution authorizing the submittal of the City's FFY'2008 CDBG Final Statement Projects List to Cobb County for inclusion in their submittal to the U.S. Department of Housing and Urban Development (HUD); and further, approving any additional CDBG FFY'2008 funds the City may receive from actions by Congress be allocated to Homeownership Assistance.

\*      **20070719      Reallocation of FY2006 CDBG Funds**

Resolution authorizing reallocations of \$550,000 in FY'2006 CDBG funds to Housing Rehabilitation LUMP SUM \$300,000, \$50,000 for acquisition of Hickory Hills Park, and \$200,000 in related Lead Based Paint Abatement and service delivery costs.

**2. Finance/Investment: Annette Lewis, Chairperson**

\*      **20070701      2005 SPLOST Budget**

Approval of an Ordinance amending the Fiscal Year 2008 SPLOST Fund budget to receive and appropriate \$9,820,000 in bond proceeds to accelerate the SPLOST project schedule.

\*      **20070715      MPD Federal grant funds for vests**

Approval of an Ordinance amending the Fiscal Year 2007 General Fund budget to receive and appropriate \$5,326 in federal grant reimbursement for the purchase of bullet resistant vests for police officers.

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\*      **20070728      FY 2007 General Fund Budget Surplus**

Approval of an Ordinance amending the Fiscal Year 2007 General Fund budget to use \$100,000 in budget surplus to cover expenses in the City Attorney account.

**3. Judicial/Legislative: Philip M. Goldstein, Chairperson**

**20070436      Forest Avenue Manor Detailed Plan**

Motion to approve the Detailed Plan for Forest Avenue Manor.

**4. Parks, Recreation and Tourism: Holly Walquist, Chairperson**

\*      **20070685      Commerce Park Baseball Field Lease**

Motion to approve the extension of the lease for the baseball field at Commerce Park (Aviation Softball and Baseball Complex) with the School Board until January 2008.

*Van Pearlberg opposed.*

\*      **20070696      Laurel Park Contract Extension**

Motion to approve renewal of the contract for operations of the tennis courts and other amenities at Laurel Park, expiring March 10, 2010.

**20070690      Friends of Brown Park**

Motion to approve a License Agreement with the Friends of Brown Park establishing rights, responsibilities and ownership of improvements contracted for, or completed, to Brown Park by the Friends of Brown Park.

**5. Personnel/Insurance: Van Pearlberg, Chairperson**

\*      **20070675      Property Casualty Insurance Coverage**

Motion to approve property casualty and other miscellaneous coverages, premiums and companies utilized for the policy period of August 17, 2007 to August 16, 2008 as follows:

1. Trident/Argonaut through BB&T/McGriff, Seibels & Williams of Georgia, Inc. as Brokers for the following coverages: GL, Law, Public Officials, Employment Practices, Auto Liability & Physical Damage, Benefits Liability, Public Officials [City & BLW], Property, Flood, Earthquake, Terrorism, Inland Marine, Boiler & Machinery, and Public Employee Blanket Crime.

2. Midwest Insurance Co. through BB&T/McGriff, Seibels & Williams of Georgia, Inc. as Brokers for Excess Workers' Compensation.

3. Travelers Casualty & Surety, Inc., through BB&T/McGriff, Seibels & Williams of Georgia, Inc. as Brokers for Fiduciary Responsibility, various Public Officials' Bonds and the BLW Pole Attachment Bond for Bell South Telecommunication, Inc.

\*      **20070716      Amendment of FY08 Position Allocation Chart**

Ordinance amending the FY08 Position Allocation Chart as noted in Exhibit A of Ordinance 7060 so as to assign the Electrical Department [#5001] positions into divisions.

#### **6. Public Safety Committee: Anthony Coleman, Chairperson**

**\* 20070443 False Alarm Ordinance**

Motion to approve the False Alarm Ordinance as amended and the approval of requested software.

**\* 20070541 Standard Operating Procedures**

Motion to adopt amendments to Marietta Police Department Standard Operating A029 Law Enforcement Safety Act, Procedures A030 Code of Conduct, A035 Salary Augmentation, A041 Organizational Structure, A044 Uniforms, Equipment & Department Property, A048 Administrative Protocol, A050 Secondary Employment, A085 Promotions, C070 Police Athletic League, P048 Vehicle Impounds, T030 Career Tracking, and T050 Training in order to assure CALEA Accreditation.

#### **7. Public Works Committee: Jim King, Chairperson**

**\* 20070218 Handicap Parking at Marietta Square**

Motion to approve the following recommended changes to the Handicap Parking at Marietta Square: 1) deleting the handicap parking space on West Park Square, 2) adding a regular parking space and a handicap parking space on East Park Square.

**\* 20070567 2006 Sidewalks**

Motion to approve staff recommendation to construct sidewalks along Frazier Street and Park Street in lieu of Armstrong St.

**\* 20070699 1994 SPLOST Re-Allocation**

Motion to approve re-allocation of 1994 SPLOST funds from completed projects of the 1994 SPLOST Inter-Local Agreement with Cobb County to the Roswell Street (East Park Square to Cobb Parkway) project.

**\* 20070741 Countdown Pedestrian Signals**

Resolution to Federal Highway Administration for request to change Manual for Uniform Traffic Control Devices regarding countdown pedestrian signals.

**\* 20070689 No Truck Route Signs on Church & Cherokee Streets**

Motion to approve the installation of signs on Church and Cherokee Streets that designate the two streets as "No Thru Truck Streets."

**\* 20070706 358 Roswell Street**

Motion to approve the Landscaping Plan at Emerson Court retaining wall.  
*Holly Walquist opposed.*

**\* 20070707 Polk Street to Burnt Hickory Turn Lane**

Motion to authorize an expenditure up to \$24,600 for removing and rebuilding a

wall in conflict with the turn lane project on Polk Street.  
*Philip M. Goldstein and Rev. Anthony Coleman abstain.*

**SCHEDULED APPEARANCES:****UNSCHEDULED APPEARANCES:****OTHER BUSINESS:**

- \* **20070639 V2007-22 Wellstar Health Systems 677 Church Street (Parking Lot)**
- V2007-22 Wellstar Health Systems requests a variance for property located in Land Lots 1074 and 1075, 16th District, 2nd Section of Cobb County, Marietta, Georgia and being located at 677 Church Street. Variance to eliminate the 10-foot planted border area adjacent to Tower Road (712.08.G), with following stipulations are incorporated herein:
- (1) The applicant is given authority to plant certain trees and/or vegetation on City right-of-way located around the subject property (per the landscape plan drawn by Bilson and Assoc, dated May 14, 2007), as approved by the appropriate staff members of the City of Marietta;
  - (2) The applicant shall permanently maintain the trees and/or vegetation planted on the City right-of-way; and,
  - (3) The City of Marietta has the right to remove the trees and/or vegetation planted by the applicant at any time it is deemed appropriate.
- \* **20070640 V2007-23 Wellstar Health Systems 677 Church Street ( Medical Building)**
- V2007-23 Wellstar Health Systems request variances for property located in Land Lots 1074 and 1075, 16th District, 2nd Section of Cobb County, Marietta, Georgia and being located at 677 Church Street. Variance to eliminate the 10-foot planted border area adjacent to Tower Road (712.08.G), with the following stipulations are incorporated herein:
- (1) The applicant is given authority to plant certain trees and/or vegetation on City right-of-way located around the subject property (per the landscape plan drawn by Bilson and Assoc, dated May 14, 2007), as approved by the appropriate staff members of the City of Marietta;
  - (2) The applicant shall permanently maintain the trees and/or vegetation planted on the City right-of-way; and,
  - (3) The City of Marietta has the right to remove the trees and/or vegetation planted by the applicant at any time it is deemed appropriate.
- \* **20070667 V2007-28 Keeler Woods Joint Venture 269 Mountain View Road**
- V2007-28 KEELER WOODS JOINT VENTURE - JOHN J. ELLIOTT, JR. request variance for property located in Land Lot 1153, District 16, Parcel 0400 and being known as 269 Mountain View Road. Variance to install a security gate at entrance of proposed subdivision. Ward 4.
- \* **20070775 Salon Q - Written Notice of Appeal**
- Motion to authorize the city attorney and city manager to set a date for an appeal hearing relative to the revocation of licenses for the Salon Q as requested by Alan I. Begner, attorney for Salon Q.

- \* 20070776 Brown Park/Confederate Cemetery Master Plan**  
Motion to approve the Brown Park/Confederate Cemetery Master Plan.
- \* 20070733 Franklin Road Soccer in the Streets Program**  
An Ordinance approving an amendment to the Fiscal Year 2007 General Fund budget receive and appropriate a donation of \$25,000 from the United Way for the Franklin Road Soccer In The Streets program.
- \* 20070734 Weed and Seed KSU Evaluation Contract**  
An Ordinance approving an amendment to the Fiscal Year 2007 General Fund budget receive and appropriate a donation of \$2,500 from the Marietta Housing Authority to cover the cost of program evaluation services.
- \* 20070784 Council Meeting Minutes of May 9, 2007**  
Motion to rescind the approval of agenda item 20070521 of the May 9, 2007 meeting minutes, which was approved at the June 11, 2007 and to approve the corrected language regarding the vote.
- 20070709 PURPA**  
Approval of the actions of the Board of Lights and Water (BLW) for PURPA.
- \* 20070783 BLW Actions of July 9, 2007**  
Review and approval of the July 9, 2007 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

**ADJOURNMENT:**